IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE EIGHTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 27187 of 1998

Between:

G.Chinna Rao, S/o Somayya,
Saluru , Vizianagaram District.

..... PETITIONER

AND

1 The Secretary, R & B
Secretariat Buildings, Hyderabad.
2 The Superintending Engineer, R& B
Vishakapatnam-13

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue order, direction, writ particularly one in the nature of Writ of Mandamus by declaring the inaction on the part of the respondents in not extending the benefits laid down in G.O.Ms.No.275 dt 26-9-94 issued by the I & CAD Dept. as illegal, arbitrary consequently quash the tender notice No. 13/98-99 dt 24-8-98 issued by the 2nd respondent to the extent of clause 5(a) insisting for payment of EMD while offering tenders for the works mentioned therein particularly to the contractors belonging to weaker section i.e ST, SC and Vaddaras.

Counsel for the Petitioner: MRS.P.BALA RANI

Counsel for the Respondents: GP FOR ROADS & BUILDINGS

The Court made the following:

ORDER:

This writ petition is filed seeking to issue a writ of Mandamus declaring the inaction on the part of the respondents in not extending the benefits laid down in G.O.Ms.No.275, dated 26.09.1994 issued by the I & CAD Department as illegal and arbitrary and consequently, to quash the tender notice No.13/98-99, dated 24.08.1998 issued by the second respondent insisting for payment of the Earnest Money Deposit.

When the matter is taken up for hearing, the learned counsel for the petitioner submitted that the subject matter of this writ petition has become infructuous.

Recording the said submission, the writ petition is dismissed as having become infructuous.

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08.04.2005

dr/tvk

To

1 The Secretary, R & B
Secretariat Buildings, Hyderabad.
2 The Superintending Engineer, R& B
Vishakapatnam-13

3 2 CCs to Government Pleader for Roads and Buildings,

High Court Buildings, Hyderabad. (OUT)

4 2 CD copies